

1724
JFW

OCT 13 2004

PATENT

Att'y Docket No. FSI/83/262
Confirmation No. 5985CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: October 8, 2004.

Reg. No. 52,197

10/8/04

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Lohr et al. Art Unit: 1724
Serial No.: 09/941,186 Examiner: Minh-Chau T. Pham
Filed : August 28, 2001
For : INCUBATOR HAVING COMBINED HEPA AND VOC FILTER

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an Amendment and Response.
2. Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 Enclosed is a verified statement to establish Small Entity status
 Other than a Small Entity
3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	15	minus	17	0	\$18	\$0.00
Independent Claims	2	minus	2	0	\$88	\$0.00
MULTIPLE DEPENDENT CLAIM FEE						\$300
TOTAL FEE FOR CLAIMS:						\$0.00

- No additional fee for claims is required.

4. Attached is a check in the sum of \$_____ for additional claims.
 Please charge my Deposit Account No. 23-3000 in the amount of \$_____.
5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**
- (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Ext. Mos.	Large entity	Small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$1,530.00	\$ 765.00
<input type="checkbox"/> five months	\$2,080.00	\$1,045.00

Extension fee due with this request: \$ _____

Method of Payment: Check enclosed in the amount of \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- An extension for _____ months has already been secured and the fee paid thereof of \$____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$_____.

OR

- (b) **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.**

6. **If any additional fee for claims or extension of time is required, charge Account No. 23-3000.**

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:


Douglas A. Scholer
Reg. No. 52,197

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Telephone: (513) 241-2324
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Enclosed:

Amendment Transmittal (in duplicate) containing Certificate of Mailing under 37 C.F.R. 1.8
Amendment and Response containing Certificate of Mailing under 37 C.F.R. 1.8
Reply Postcard

PATENT



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 8, 2004.

Douglas A. Scholer, Reg. No. 52,197

10/8/04

Date

Applicant(s): David Lohr et al.
Serial No.: 09/941,186
Filed: August 28, 2001
Group Art Unit: 1724
Examiner: Minh-Chau T. Pham
Confirmation No.: 5985
For: Incubator Having Combined HEPA and VOC Filter
Atty Docket No.: FSI-83

Cincinnati, Ohio 45202

October 8, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE

Sir:

In reply to the Office Action dated July 8, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.